

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SKYLINE SOFTWARE SYSTEMS, INC.,)

Plaintiff,)

v.)

KEYHOLE, INC. and GOOGLE, INC.,)

Defendants.)

CIVIL ACTION NO. 04-11129-DPW

SKYLINE SOFTWARE SYSTEMS, INC.’S
MOTION FOR PRELIMINARY INJUNCTION

Pursuant to FED. R. CIV. P. 65, Skyline Software Systems, Inc. (“Skyline”) respectfully moves this Court to issue a preliminary injunction against Defendants Keyhole, Inc. (“Keyhole”) and Google, Inc. (“Google,” collectively with “Keyhole,” “Defendants”), enjoining Defendants from the sale and use of their infringing family of three-dimensional terrain visualization products, collectively referred to as Google Earth.

As described in the supporting Memorandum and in the accompanying declarations of Aharon Yaron, Terry Keating, and H. Joseph Hameline, Esq., Skyline has a likelihood of succeeding on the merits of its patent infringement claims. It has also suffered and will continue to suffer irreparable harm in the form of lost sales and market position, adverse price erosion, and unlawful violation of its intellectual property rights at the hands of market giant Google (which procured Keyhole for the purpose of competing in Skyline’s market). Therefore, pending resolution of its patent infringement claims against Defendants, Skyline seeks immediate injunctive relief, as no other timely means for halting the effects of Defendants’ infringement and market practices are available.

WHEREFORE, Skyline requests that the Court grant this Motion and issue the Proposed Order attached hereto as Exhibit A.

REQUEST FOR HEARING

Skyline respectfully requests a hearing on this Motion.

Respectfully submitted,

SKYLINE SOFTWARE SYSTEMS, INC.,

By its attorneys,

/s/ H. Joseph Hameline

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Dated: January 4, 2006

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

Prior to filing this Motion, counsel for Plaintiff contacted counsel for Defendants by telephone in an attempt to resolve this matter, and counsel was unable to resolve or narrow the issues raised by this Motion.

/s/ H. Joseph Hameline

H. Joseph Hameline

Certificate of Service

I hereby certify that on January 4, 2006, I caused a true and accurate copy of the foregoing document to be served upon all counsel of record for each party, by complying with this Court's Administrative Procedures for Electronic Case Filing.

/s/ H. Joseph Hameline

H. Joseph Hameline, BBO # 218710